

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

CLERK
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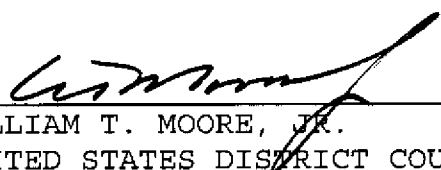
GERBER LIFE INSURANCE COMPANY,)
)
Plaintiff,)
)
v.)
)
LATONYA W. MONTGOMERY-CAUDLE and)
TERRANCE MASON,)
)
Defendants.)
)

CASE NO. CV413-071

O R D E R

Before the Court is Plaintiff Gerber Life Insurance Company's Notice of Dismissal Without Prejudice. (Doc. 8.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Because Defendants Latonya W. Montgomery-Caudle and Terrance Mason have not filed either an answer or a motion for summary judgment in this case, Plaintiffs' request is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 19th day of April 2013.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA